

CT CORPORATION
January 15, 2010

Bruce D. Fox
Fox & Farley
310 North Main Street
Clinton, TN 37716

Re: William J. Reich, Pltf. vs. Matrixx Initiatives, Inc., etc., et al., Dfts.

Case No. 309CV536

Dear Sir/Madam:

We are herewith returning the Summons, Complaint which we received regarding the above captioned matter.

Matrixx Initiatives, Inc. is not listed on our records or on the records of the State of TN.

Very truly yours,

Ericka Fry

Log# 515993120

FedEx Tracking# 799507300608

cc: US District Court Eastern District of Tennessee at Knoxville
800 Market Street
Suite 130
Knoxville, TN 37902

800 South Gay Street, Suite 2021
Knoxville, TN 37929-9710

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FILED

UNITED STATES DISTRICT COURT

JAN 19 2010

for the
Eastern District of Tennessee

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

William J. Reich

Plaintiff

v.

MATRIX INITIATIVES, INC.

Defendant

Civil Action No.

3:09-cv-536

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* MATRIX INITIATIVES, INC., a
Delaware Corporation, f/k/a Gumtech
International, Inc.,
c/o CT Corporation Systems,
800 S. Gay Street, Suite 2021
Knoxville, TN 37929-2021

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bruce D. Fox
John A. Willis
Fox & Farley
310 North Main Street
Clinton, TN 37716

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

PATRICIA L. McNUTT, CLERK

CLERK OF COURT

Date:

12/7/2009

KW Watson

Signature of Clerk or Deputy Clerk

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DEC 07 2009

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

WILLIAM J. REICH,

Plaintiff,

vs.

No. 3:09-cv-536
Judge Varlan Guyton
JURY DEMANDED

MATRIX INITIATIVES, INC., a
Delaware Corporation, f/k/a Gumtech
International, Inc., and ZICAM LLC,
f/k/a Gel Tech, LLC an Arizona Limited
Liability Corporation,

Defendants.

COMPLAINT

The Plaintiff, WILLIAM J. REICH files this Complaint against Defendants, MATRIX INITIATIVES, INC., ("MATRIX") a Delaware Corporation, f/k/a Gumtech International, Inc., and ZICAM, LLC, f/k/a Gel Tech, LLC, ("ZICAM"), an Arizona Limited Liability Corporation, and for his causes of action, states the following:

A. PARTIES

1. Plaintiff, WILLIAM J. REICH, is an individual who is a citizen of the State of Tennessee and resident of Oak Ridge, Anderson County, Tennessee.

2. Defendant Matrixx, is a Delaware Corporation with a principal place of business in Scottsdale, Arizona, which conducts business in and throughout the State of Tennessee. Matrixx is principally engaged in the manufacture and sale of pharmaceuticals. Service of process may be had upon Defendant by serving